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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,228	12/01/2003	Bobby L. Hawkins	AMP-11	2112
22827	7590	10/27/2005		
DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			EXAMINER NGUYEN, JIMMY T	
			ART UNIT 3725	PAPER NUMBER

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/725,228	Applicant(s) HAWKINS, BOBBY L.	
	Examiner Jimmy T. Nguyen	Art Unit 3725	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 9/1/05.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-17 is/are pending in the application.  
     4a) Of the above claim(s) 14-17 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/1/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/15/04</u> . | 6) <input type="checkbox"/> Other: _____  |

***Election/Restrictions***

Applicant's election of Group I, claims 1-13 in the reply filed on September 01, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

***Specification***

The disclosure is objected to because of the following informalities:

On page 1, line 12, after numeral "2001", the following words should be added ----, now US patent number 6,701,832 ---.

On page 18, line 1, "Figs. 8 and 9" should be changed to --- Fig. 14 --- because Figures 8 and 9 do not show the side bar (41), figure 14 is the best figure that shown the side bar (41) engages one of the tracks (30a, 30b).

Appropriate correction is required.

***Allowable Subject Matter***

Claims 1-13 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious an apparatus for receiving trash and compacting the received trash comprising: a frame and a trash by-pass chute disposed in a housing; a hatch disposed to control physical access through the trash by-pass chute; a hatch stop disposed at an

Art Unit: 3725

entrance of the trash by-pass chute; an actuator mechanism connected to the hatch stop, wherein *the actuator mechanism including a cable spool rotatably mounted to the frame and a cable having one end connected to the spool and an opposite end connected to the hatch stop*, in combination with the rest of the claimed limitations.

US 4,130,054 to Tashman discloses a compacting apparatus comprising a trash opening (64) defined through a top of the housing of the apparatus (fig. 2); a trash by-pass chute (63); a compacting mechanism (88); and a hatch (74) disposed to control physical access through the chute. Tashman does not disclose a hatch stop disposed at the entrance of the chute and an actuator mechanism having a cable spool for selectively actuate the hatch stop. Accordingly, Tashman fails to anticipate or render obvious the claimed invention as set forth in claim 1.

US 3,901,139 to Moriconi discloses a compacting apparatus comprising: a chute (63), a compacting mechanism (24-26); a hatch (32); a hatch stop (42); and an actuator mechanism (34, 36-38) connected to the hatch stop (fig. 8). Moriconi does not disclose that the actuator mechanism including a cable spool mounted to the frame, a cable having one end connected to the spool and an opposite end connected to the hatch stop, and a trash opening defined through the top of the housing of the apparatus. Accordingly, Moriconi fails to anticipate or render obvious the claimed invention as set forth in claim 1.

US 5,517,907 to Fox discloses a compacting apparatus comprising an actuator mechanism (30, 46, and 54); and an actuator mechanism including a spool (151) for actuating a hatch (114). Fox does not disclose a trash opening defined through the top of the housing of the apparatus, a chute, and a hatch stop. Accordingly, Fox fails to anticipate or render obvious the claimed invention as set forth in claim 1.

Art Unit: 3725

None of the above reference discloses *a cable spool rotatably mounted to the frame and a cable having one end connected to the spool and an opposite end connected to the hatch stop* in order to selectively actuate the hatch stop to hold the latch in closed orientation with respect to the chute. Thus claim 1 contains allowable subject matter over the art of record.

Neither the prior art of record alone or in combination thereof discloses the claimed invention as set forth in claim 1. Therefore, claim 1 and its dependent are allowable over the prior art of record.

### ***Conclusion***

This application is in condition for allowance except for the following formal matters:

The objections to the specification as set forth above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3725

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTNguyen  
October 19, 2005

A handwritten signature in black ink, appearing to read 'DERRIS H. BANKS', with a long horizontal line extending to the right.

**DERRIS H. BANKS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3700**